


UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI

FILED

9/9/2010

UNITED STATES OF AMERICA

DAVID CREWS, CLERK
BY  DEPUTY

V.

CRIMINAL NO. 1:10cr042

CARLOS CASTRO

PLEA AGREEMENT

The United States Attorney hereby proposes to the Court a plea agreement to be filed in this cause under Rule 11(c) of the Federal Rules of Criminal Procedure. Defendant has read and fully understands this plea agreement and approves same, realizing that the plea agreement is subject to acceptance or rejection by the Court. The plea agreement is as follows:

1. GUILTY PLEA. The defendant agrees to plead guilty under oath to Count One of the Indictment, which charges conspiracy to possess with intent to distribute marijuana, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841 (a)(1), (b)(1)(D) and 846, which carries maximum possible penalties of not more than 5 years imprisonment, a fine of not more than \$250,000, or both, at least 2 years supervised release, ineligibility for federal benefits up to 5 years, and a mandatory \$100 special assessment.

2. OTHER CHARGES. The United States agrees not to charge the defendant with any other offenses arising from or related to the above charges and agrees to dismiss all other counts of the Indictment as to this defendant upon conclusion of sentencing on Count One.

3. OTHER AUTHORITIES. This agreement does not bind any prosecuting authority of any state or any other federal district, nor does it bind the Attorney General of the United States with regard to any matter, criminal or civil, involving federal tax laws. Nor does this agreement bind the United States or any of its departments or agencies with regard to any civil or administrative

actions or remedies.

4. VIOLATIONS OF THIS AGREEMENT. If defendant violates this agreement, all statements made pursuant hereto will be admissible against defendant who hereby waives provisions of Rule 11(f) of the Federal Rules of Criminal Procedure and Rule 410 of the Federal Rules of Evidence. Defendant may also, in that event, be prosecuted for all federal offenses, including perjury and false statements relating to this plea agreement.

5. ACKNOWLEDGMENTS: No Other Agreements; Defendant Is In Fact Guilty. Apart from being advised of the applicability of the U.S. Sentencing Guidelines, and other than as set forth elsewhere in the plea documents, no promise or representation whatsoever has been made to the defendant as to what punishment the Court might impose if it accepts the plea of guilty. Defendant agrees that the Court may cancel the trial and continue all proceedings in the case until such date as the Court may set for consideration of the plea agreement, the plea of guilty, and imposition of sentence. This agreement fully reflects all promises, agreements and understandings between the defendant and the United States Attorney. The defendant's agreement is knowing, free and voluntary, and not the product of force, threat, or coercion. The defendant is pleading guilty because the defendant is in fact guilty.

The foregoing constitutes the only plea agreement between the parties.

This the 9th day of September, 2010.

Charles M. Deane AVSA for
WILLIAM C. MARTIN
UNITED STATES ATTORNEY
Mississippi Bar No.

AGREED AND CONSENTED TO:

Carlos F. Castro
Carlos Castro, Defendant

APPROVED:

Rob Laher
Robert S. Laher
Attorney for Defendant
MS Bar No. 10521